

Appl. No. 09/896,088
Amdt. Dated: December 15, 2006
Reply to Office Action of September 18, 2006

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REMARKS

This Amendment is in response to the Office Action mailed September 18, 2006. In the Office Action, claims 13-17 and 34 have been allowed. Claim 12 is considered to feature allowable subject matter, but is dependent on a rejected base claim. In response, limitations of claim 12 have been added to independent claim 1, and thus, claim 12 has been cancelled without prejudice. Applicant respectfully submits that claim 1 and those claims dependent thereon are in condition for allowance.

In addition, claim 29 was rejected under 35 U.S.C. § 112, claims 1-11, 19-23 and 27-29 were rejected under 35 U.S.C. §102, and claims 24-25 and 30-33 were rejected under 35 U.S.C. § 103. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Request for Examiner's Interview

The Examiner is respectfully requested to contact the undersigned attorney if after review, the pending claims are not considered to be in condition for allowance. This telephone conference would greatly facilitate the examination of the present application. The undersigned attorney can be reached at the telephone number listed below.

Rejection Under 35 U.S.C. § 112

Claim 29 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicant has amended the preamble of claim 29 to reference the "network" and correct a typographical error. Applicant respectfully requests that the Examiner withdraw the outstanding §112 rejection as applied to claim 29.

Rejection Under 35 U.S.C. § 102

Claims 1-11, 19-23 and 27-29 were rejected under 35 U.S.C. §102(b) as being anticipated by Ohashi (U.S. Patent No. 5,889,861). Applicant respectfully requests the Examiner to withdraw the rejection because a *prima facie* case of anticipation has not been established.

Appl. No. 09/896,088
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As the Examiner is aware, to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Vergegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

For instance, with respect to independent claim 19 exclusively, Applicant respectfully submits that Ohashi does not describe "internal circuitry to generate a key hash result based on a global identifier of a second computing unit remotely located from the computing unit and *an estimated current time at the second computing unit.*" *Emphasis added.* In contrast, Ohashi teaches transmission of a broadcast public key (kpn) by a base station that is received by the mobile unit and kpn is time-varying. However, the mobile unit does not generate a key hash result based in part on the *estimated current time* at the base station. Rather, any operations performed by mobile unit using kpn are based on the value of kpn at the time of transmission with no regard to estimated time values at the base station.

Hence, claim 19 and those claims dependent thereon are in condition for allowance.

With respect to independent claim 27, Applicant respectfully submits that Ohashi does not describe "a second computing unit to...compute a clock skew to determine a time difference between the first computing unit and the second computing unit in response to receipt of a first verification packet." *Emphasis added.* The Office Action states that column 7, lines 25-60 of Ohashi teaches computation of a time difference between P receipt time and local time in order to generate Si. *See pages 7-8 of the Office Action.* Applicant respectfully disagrees.

Column 7, lines 25-60 of Ohashi teaches broadcasting of a time-varying public key (kpn) by a base station. The mobile unit calculates a confidential identity by encrypting its identity (ID) with kpn. While Ohashi describes a comparison between a paged identity (p) and the previously calculated confidential identity (Si), there is no teaching of computing a clock skew to determine the time difference as claimed.

Appl. No. 09/896,088
Amtd. Dated: December 15, 2006
Reply to Office Action of September 18, 2006

Hence, claim 27 and those claims dependent thereon are in condition for allowance.

With respect to claim 1, Applicant respectfully submit that the amendments made to claim 1, namely the addition of limitations previously presented in objected claim 12, overcome the outstanding §102(b) rejection.

In light of the foregoing, Applicant respectfully requests that the Examiner withdraw the outstanding §102(b) rejection as applied to claims 1-11, 19-23 and 27-29.

Rejection Under 35 U.S.C. § 103

Claims 24-25 and 30-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohashi in view of Asano (US Patent Application No. 2003/0095664 A1). Applicant respectfully traverses the rejection because a *prima facie* case of obviousness has not been established for these claims. However, based on the dependency of claims 24-25 and 30-33 on independent claims 19 and 27, believed by Applicant to be in condition for allowance, no further discussion as to the grounds for traverse is warranted. Applicant reserves the right to present such arguments if an Appeal is warranted. Withdrawal of the §103(a) rejection as applied to claims 24-25 and 30-33 is respectfully requested

Appl. No. 09/896,088
Amdt. Dated: December 15, 2006
Reply to Office Action of September 18, 2006

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: December 15, 2006

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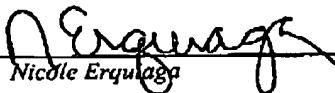
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